

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

ALBERT L. GRAY, Administrator, et al.
Plaintiffs,

vs.

JEFFREY DERDERIAN, et al.
Defendants.

RECEIVED
DEC 23 2004
U.S. DISTRICT COURT
DISTRICT OF RHODE ISLAND

C.A. No. 04-312-L

STIPULATION

It is hereby agreed, by and between counsel for the Plaintiffs and defendant State of Rhode Island, that in the interest of judicial efficiency: for the purpose of the State of Rhode Island's pending Motion to Dismiss pursuant to Fed.R.Civ.P. 12(b)(6), paragraphs 434 through 436 of the First Amended Master Complaint shall be deemed to allege (a) that Dennis Larocque was acting in the capacity as agent for the State of Rhode Island and (b) that the State's negligence also arose from Larocque's acts and/or omissions.

*Plaintiff 13(d); 13(e); 17-63 inclusive;
133-190 inclusive; 225-233 inclusive;
and 240
By their Attorney:*

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